



Austin City Council MINUTES

JUNE 25, 1992 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all members of the Council.

MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of June 4 and 11, 1992, and Special Meeting of June 3, 1992.

The Council, on Councilmember Garcia's motion, Councilmember Larson's second, approved the minutes as corrected. 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Reynolds out of the room.

Councilmember Epstein made a motion to reconsider, seconded by Councilmember Garcia, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Reynolds out of the room. Her correction did not apply to the Council Minutes.

The Council, on Councilmember Epstein's motion, Councilmember Garcia's second, approved the minutes as previously noted. 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Reynolds out of the room.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Henry Ratliff, to discuss "information" versus "disinformation."
3. Mr. David Elliott, to discuss how leadership can reduce Austin's horrendous bond debt, and use of 3 I's: Imagination, Ingenuity and Initiative.
4. Mr. Luthor Carpenter, to discuss management, budget and Council concerns.
5. Ms. Carolyn Castillo, to discuss creating a city within a city.

6. Mr. Paul Hernandez, to discuss community issues. Not present.
7. Mr. Gavino Fernandez, to discuss City issues.
8. Mr. Felix Rosales, to discuss City issues.
9. Mr. Amado Pardo, to discuss community issues. Not present.
10. Ms. Frances Martinez, to discuss City issues. Not present.
11. Ms. Rosalind Brinkley, to discuss ACTV project with Travis County Juvenile Probation Department.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve the selection of RJN ENVIRONMENTAL ASSOCIATES, INC., Dallas, Texas, to provide engineering services for the Upper Walnut Creek Drainage Basin Wastewater System Infiltration/Inflow Study and Improvements Project, in the amount of \$300,000. (Funding included in CIP 430-237-0416.) [Reviewed by Water and Wastewater Commission.]

Motion

Councilmember Reynolds made a motion, seconded by Councilmember Garcia to select Bury & Pittman, Inc.

Substitute Motion - FAILED

Mayor Pro Tem Urdy offered a substitute motion to approve staff recommendation, RJN. Motion FAILED by a vote of 2-5 with Mayor Todd, Councilmembers Epstein, Garcia, Larson and Reynolds voting No.

Roll Call on Main Motion

5-2 Vote, Mayor Pro Tem Urdy, Councilmember Nofziger voted No.

13. Approve negotiation and execution of a twelve (12) month service agreement with MARRIOTT FACILITIES MANAGEMENT, Houston, Texas, for the management of Brackenridge Hospital's Housekeeping Department, in an amount not to exceed \$162,425, including the option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$162,425 per extension, for a total amount not to exceed \$487,275. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital. Funding for the remaining \$108,283 of the original contract period and the extension

options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Best proposal of five (5). The prime did not identify any subcontracting opportunities.

Pulled off agenda.

ORDINANCES

14. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1108 Kramer Lane, Case No. C14-91-0017, from "NO", Neighborhood Office to "GO-CO", General Office-Conditional Overlay, LIHN-SON BUDDHIST ASSOCIATION, by Nhieu T. Ong. First reading on April 4, 1991; Vote 5-0, Councilmembers Larson out of the room and Nofziger absent. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. (Public Hearing Closed - No Citizen Sign-Up)
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7230-7234, 7300-7388 and 7400-7410 State Highway 71 West, Case No. C14-92-0003, from "GO", General Office to "CS-CO", Commercial Services-Conditional Overlay for Tract 1, and "RR", Rural Residence for Tract 2, LUKE HOGAN AND R.L. WYATT, by R.L. Wyatt. First reading on March 5, 1992; Vote 6-0, Mayor Pro Tem Urdy out of the room. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. Restrictive Covenant incorporating conditions imposed by Council has been executed. (Public Hearing Closed - No Citizen Sign-Up)
- #14-15 on Councilmember Garcia's motion, Councilmember Reynolds second, 7-0 Vote.
16. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1700-2300 Block of Loop 360, Case No. C814-87-007(PARKSTONE PUD), from "SF-2", Single Family Residence (standard lot) to "PUD", Planned Unit Development, PETER A DWYER, EDWIN E. FOSTER, ET AL., BARTON LAREDO INTEREST I, BARTON INTEREST II, and the INTERNATIONAL BANK OF COMMERCE, by Terry Bray. First reading on September 1, 1988; Vote 5-0, Councilmembers Urdy and Barnstone out of the room. Conditions met as follows: Restrictive Covenants incorporating conditions imposed by Council have been executed. Development is to that shown on the Site Plan attached as an exhibit to the ordinance. Phasing Agreement incorporating conditions imposed by Council has been executed. Notes incorporating conditions imposed by Council have been added to the site plan. (Public Hearing Closed - No Citizen Sign-Up) Citizens were allowed to speak.

On Councilmember Reynolds motion, to approve on SECOND READING ONLY,

and to send back to the Planning Department before being brought to Council for Third Reading, Councilmember Epstein's second, 5-2 Vote, Mayor Todd and Councilmember Garcia voted No.

After Councilmember Reynolds made the motion, and before the roll call vote, there was discussion by Council. Councilmember Reynolds asked: "Tracy (Watson), I believe this was brought to the Council at one time while I've been on the Council, and we sent it back to the Planning Commission to be redone. What has the Planning Commission done, and what have you done from a staff position, meetings wise, since we sent it back to the Planning Commission about five months ago." Mr. Watson stated: "There have been at least, I believe, two different work sessions with the applicant at Planning Commission and then last Tuesday a public hearing on the revised recommendation. During that time the applicant has been working with various departmental staff, Environment, as well as the Planning and Development staff to look at the feasibility of the reduced plans and how we could work this through the process." Mr. Watson continued, "Staff recommendation is that in general terms the approach is far more sensitive to the land and puts less burden on the infrastructure. As far as land use, we feel it is more appropriate, however, this project is technically under the old Planned Unit Development which requires detailed site plans, which have not yet been provided to us for a specific analysis. Those would need to be prepared before we come back to you for Third Reading on this, there will be a reduction in traffic and changes in many factors and we feel it will be a better project."

Councilmember Reynolds stated: "In my motion, which was for Second Reading Only, I want it to go back to the Planning Department for you all to work out whatever needs to be done and be brought back to us on Third Reading and so we have all the niches and everything else cleaned up before we have final reading if the second reading does pass." Councilmember Reynolds went on to say, since there have been changes the Council needed to have some explanation. Presentations and discussion followed.

17. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as property situated north of West U.S. 290 and south of Southwest Parkway, Case No. C14-89-0005, from "GO", General Office to "RR", Rural Residence District for Tract 1 and "GR-CO", Community Commercial-Conditional Overlay for Tract 2, JOHN D. BYRAM, by Richard Suttle. First reading on August 10, 1989; Vote 4-2, Mayor Pro Tem Shipman and Councilmember Nofziger voting "No" and Councilmember Humphrey absent. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. (Public Hearing Closed - No Citizen Sign-Up)

Motion- Withdrawn

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Larson to approve. The motion was withdrawn.

Motion - Withdrawn

Councilmember Garcia made a motion, seconded by Mayor Todd to refer back to the Planning Commission. The motion was withdrawn.

Motion

The Council, on Councilmember Epstein's motion, Councilmember Garcia's second, voted to postpone for two weeks. 6-0 Vote, Councilmember Reynolds out of the room.

18. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 901 West Ben White Blvd., Case No. C14-92-0014, from "SF-3", Family Residence to "GO-CO", General Office-Conditional Overlay, SOUTH AUSTIN MEDICAL CENTER, by Kent Ferguson. First reading on April 2, 1992; Vote 6-0, Mayor Todd absent. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council and Street Deed satisfying right-of-way dedication requirement has been executed. (Public Hearing Closed - No Citizen Sign-Up)
19. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3415 West Slaughter Lane, Case No. C14-92-0017, from "I-SF-2", Interim Single Family Residence (standard lot) to "LO", Limited Office, CARLSON ENGINEERING COMPANY, by Tom Carlson. First reading on June 11, 1992; Vote 6-0, Councilmember Reynolds absent. (Public Hearing Closed - No Citizen Sign-Up)
20. Amend the Austin City Code by reducing the existing speed zone on Airport Boulevard, south of Schieffer Avenue to Manor Road, from 50 mph to 45 mph, as requested by the Texas Department of Transportation (TxDOT). (No fiscal impact - TxDOT will fund the necessary changes.)

#18-20 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.
21. Amend Section 8-7-129 of the City Code regarding the apparel of taxicab drivers and the appearance of taxicabs. (No fiscal impact.) [Recommended by Urban Transportation Commission.]

Motion

Councilmember Garcia made a motion, seconded by Councilmember Larson to approve.

Friendly Amendment

Councilmember Larson offered a friendly amendment as follows: "windshields will meet State Safety Standards", deleting windshield crack language. The amendment was accepted.

Amendment to Motion - Withdrawn

Councilmember Epstein offered an amendment, to the motion, seconded by Councilmember Nofziger, to delete Section 1, D,E,F. The motion was withdrawn for discussion.

Amendment to Motion

The Council, on Councilmember Epstein's motion, Councilmember Nofziger's second, offered an amendment to the motion to delete Section 1, D,E,F,. Motion passed by a vote of 4-2 with Councilmembers Garcia and Larson voting No, Councilmember Reynolds out of the room.

Roll Call on Motion with Amendments

6-0 Vote, Councilmember Reynolds out of the room.

22. Approve prohibiting taxicab drivers from refusing service to a person with a disability or charging an additional fee for a guide dog or other mobility assistance device; and requiring a sign on taxicabs establishing the maximum number of passengers to four (4). (No fiscal impact.) [Recommended by Urban Transportation Commission.]

Motion

Councilmember Garcia made a motion, seconded by Mayor Pro Tem Urdy to approve.

Substitute Motion Made and Withdrawn

Councilmember Larson made a motion, seconded by Councilmember Epstein to refer back to Urban Transportation for further study. Motion was withdrawn.

Roll Call on Motion

6-0 Vote, Councilmember Reynolds out of the room.

23. Amend Ordinance No. 910912-A, the 1991-92 Operating Budget, by increasing revenues and expenditures in the Drainage Utility by \$21,250, increasing expenditures and expense refunds in the Environmental and Conservation Services Fund by the same amount, and adding one full-time employee (FTE) to the Environmental and Conservation Services Department to implement a Commercial Operating Permit Program. (Funding provided by revenues generated from operating permit and annual renewal fees in FY 1991-92; Drainage Utility Fund.) [Recommended by Environmental Board and Planning Commission.] (related to item 78)

On Councilmember Garcia's motion, Councilmember Larson's second, 5-0 Vote, Councilmember Nofziger out of the room, Councilmember Reynolds absent.

24. Amend the 1991-92 Operating Budget of the Department of Planning and Development, in the amount of \$20,000 to create one (1) full-time position to maintain the general ledger and accounting system of the Austin Housing Finance Corporation (AHFC). (Funding provided from the AHFC Trust Fund.) [Recommended by Housing Subcommittee.]
25. Authorize acceptance of \$50,000 in grant funds from the Texas Water Commission for an environmental and conservation work program for youth; amend the 1991-92 Special Revenue Budget (Ordinance No. 910912-A) by increasing revenues and expenditures and appropriating \$50,000 to the Parks and Recreation Department Special Revenue Fund. (No City match required) [Recommended by Opportunities for Youth Subcommittee.] (related to item 30)
26. Authorize acceptance of an increase of \$46,787 in grant funds from the Texas Department of Housing and Community Affairs, Community Services Block Grant (CSBG) program, for the operation of City and County Neighborhood Centers; amend Ordinance No. 910912-A, the 1991-92 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$46,787 for the Health & Human Services Department Special Revenue Fund, and transferring 2 full-time employees (FTE's) from the General Fund to the Special Revenue Fund. (No City match required.) (related to 29)
27. Amend the 1991-92 Cable Access Fund Operating Budget by increasing revenues by \$48,500 and appropriations by \$137,808 to fund proposed facility modifications, increased operations and maintenance costs of the public access television facility, prior years contractual obligations and a three month extension of the City of Austin's current contract with Austin Community Television. (Funding in the amount of \$48,500 provided from an increase in interest income; \$89,308 from the Cable Access Fund ending balance.) [Recommended by the Council Subcommittee for Cable Issues.] (related to item 28)

RESOLUTIONS

28. Approve a three (3) month contract extension with Austin Community Television (ACTV) in an amount not to exceed \$80,900 for the three months ending September 30, 1992. (Funding provided by the Cable Access Fund.) [Recommended by the Council Subcommittee for Cable Issues.] (related to item 27)
29. Approve the netotiation and execution of a twelve (12) month contract with Travis County Human Services in an amount not to exceed \$72,894 for operation of Travis County Rural Neighborhood Centers under the Texas Department of Community Affairs Community Services Block Grant Program. (Funding included in the Health and Human Services Department Special Revenue Fund.) (related to item 26)
30. Authorize negotiation and execution of an Interlocal Agreement with the Texas Water Commission for a youth environmental and conservation work program. (Funding included in the Parks and Recreation Department Special Revenue Fund.) (Recommended by the Opportunities for Youth Subcommittee) (related to item 25)
31. Authorize execution of an Interlocal Agreement with the Austin Independent School District for provision of meals for the Parks and Recreation Department's Senior Luncheon Program. (Funding included in the 1991-92 Operating Budget of the Parks and Recreation Department.) (Monthly cost - \$16,200; savings of approximately \$4,300 will be realized from lower per meal charge by AISD). [Recommended by Parks and Recreation Board.]

#24-31 On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.
32. Authorize execution of an Interlocal Agreement with Travis County to share election facilities and equipment. (No fiscal impact.)

Pulled off agenda.
33. Approve execution of a contract award with OLYMPUS CORPORATION, Irving, Texas, for the purchase of video endoscopic equipment for Brackenridge Hospital, in an amount not to exceed \$225,490. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital.) Low bid of three (3) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BH2-109.
34. Approve negotiation and execution of a contract award with TRANSLOGIC CORPORATION, Irving, Texas, for the purchase of a pneumatic tube system conversion and upgrade at Brackenridge

Hospital, in an amount not to exceed \$290,780. (Funding provided by the issuance of contractual obligations approved by Council on February 28, 1991.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. BH2-088. [Recommended by Hospital Board.]

35. Approve execution of six (6) twelve (12) month supply agreements for pharmaceuticals be dispensed by the pharmacy and throughout Brackenridge Hospital, with the following vendors: AMERICAN RED CROSS CENTRAL TEXAS REGIONAL BLOOD CENTER, Waco, Texas, in the amount of \$168,800; ORTHO PHARMACEUTICAL CORPORATION, Raritan New Jersey, in the amount of \$93,153; ALPHA THERAPEUTIC CORPORATION, Los Angeles, California, in the amount of \$34,000; BAXTER HEALTHCARE CORPORATION, Glendale California, in the amount of \$376,620; MERCK HUMAN HEALTH DIVISION, West Point, Pennsylvania, in the amount of \$199,632; and MILES INC., West Haven Connecticut, in the amount of \$36,966, for a total award of \$909,171, with an option to extend each agreement thereafter for up to one (1) additional twelve (12) month period for the same amounts for each vendor, for a total contract amount of \$1,818,342. (Funding in the amount of \$378,825 is included in the 1991-92 Operating Budget of Brackenridge Hospital; \$530,346 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 budgets.) Low bids of one-hundred one (101); Merck Human Health Division - Sole Source. The primes did not identify any subcontracting opportunities. Reference No. BS2-136.
36. Approve negotiation and execution of a twelve (12) month contract with AUSTIN FAMILIES, INC., Austin, Texas, for the administration of the Child Care Voucher Program, in an amount not to exceed \$143,000. (Funding provided by 17th Year Community Development Block Grant (CDBG) funds.) Sole proposal. The prime did not identify any subcontracting opportunities. Reference No. 920536-3SA.
37. Approve execution of a contract with UNION METAL INC., Richardson, Texas, for the purchase of fluted steel street light/traffic light poles in an amount not to exceed \$53,500. (Funding included in the Electric Utility 1991-92 Capital Budget.) Sole Bid. The prime did not identify any subcontracting opportunities. Reference No. 920610-1RH. (Recommended by Planning Commission.)

#33-37, Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

38. Approve execution of a contract with LODAL, INC., Kingsford, Michigan, for the purchase of four (4) recycling trucks for use by the Environmental and Conservation Services Department in the curbside collection of recyclable materials, in an amount not to exceed \$374,920. (Funding provided by the issuance of contractual obligations approved by Council on September 19, 1991.) Sole bid. The prime did not identify any subcontracting opportunities. Reference No. 920495-1RF.

Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Reynolds absent.

39. Approve execution of a contract with AMERICAN HI-LIFT, Selma, Texas, for the purchase of a fifty (50) foot aerial platform lift in an amount not to exceed \$57,304. (Funding available in 1991-92 Convention Center Operating budget.) Sole bid. The prime did not identify any subcontracting opportunities. Reference No. 920804-1RF.
40. Approve execution of a contract with TENNANT SALES, Norcross, Georgia, for the purchase of a self-propelled power sweeper and scrubber in an amount not to exceed \$33,982. (Funding available in the 1991-92 Convention Center Operating Budget.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920808-1RF.
41. Approve execution of a twelve (12) month supply agreement with MARTIN'S UNIFORMS, San Antonio, Texas, for the purchase of police uniforms to be worn by all City Police, including Brackenridge Police, Airport Police, and Park Police, in an amount not to exceed \$113,972, with the option to extend thereafter for one (1) additional twelve (12) month period, in the amount of \$113,972 per extension, for a total amount of \$227,944. (Funding included in the operating budgets of the Police Department, Brackenridge Hospital, Aviation Department, and Parks and Recreation Department.) Low bid of two (2) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. 920683-1B0.
42. Approve execution of a twelve (12) month supply agreement with W.H. RICHARDSON COMPANY, INC., Austin, Texas, for the purchase of hand tools for use by all City departments, in an amount not to exceed \$40,646, with the option to extend for one (1) additional twelve (12) month period, in an amount not to exceed \$40,646, for a total amount not to exceed \$81,292. (Funding in the amount of \$13,550 included in the 1991-92 Inventory budgets for Financial Services Department, Water and Wastewater Utility and Electric Utility Departments.) Low bid of six (6). The prime did not identify any subcontracting opportunities. Reference No. 920530-1B0.

43. Approve execution of two (2) twelve (12) month supply agreements for the purchase of insecticides and herbicides for use at City golf courses and turf grass areas, with WILBUR ELLIS/TIDE DIVISION, Eagle Lake, Texas, in the amount of \$61,320, and BWI-SCHULENBURG INCORPORATED, Schulenburg, Texas, in the amount of \$52,740, for a total amount of \$114,060, with the option to extend each agreement thereafter for one (1) additional twelve (12) month period in the amount of \$61,320 and \$52,740 respectively, for total amount not to exceed \$228,120. (Funding included in the 1991-92 Inventory budget for Financial Services, Materials Management Division. Funding for the extension options will be requested in future fiscal year budgets.) Low bid of seven (7). The prime did not identify any subcontracting opportunities. Reference No. 920688-1B0.
44. Approve execution of a twelve (12) month supply agreement with AAA FIRE & SAFETY EQUIPMENT COMPANY, Austin, Texas, for the purchase of fire extinguishers, parts and repair service for existing fire extinguishing equipment, in an amount not to exceed \$39,900, with the option to extend for one (1) additional twelve (12) month period, in an amount not to exceed \$39,900, for a total contract amount not to exceed \$79,800. (Funding in the amount of \$23,940 included in the 1991-92 Inventory Budget of the Financial Services Department; \$3,990 included in the 1991-92 Inventory Budget of the Water and Wastewater Utility; and \$11,970 included in the 1991-92 Inventory Budget of the Electric Utility Department.) Low bid of six (6). The prime did not identify any subcontracting opportunities. Reference No. 920548-1B0.
45. Approve a construction contract to AUSTIN EQUIPMENT COMPANY, Austin, Texas for 12-inch sludge force main improvements from the Walnut Creek Wastewater Treatment Plant to the Hornsby Bend Wastewater Treatment Plan, in the amount of \$497,600.85. (Funding in the amount of \$247,600.85 included in CIP 430-237-0466 - Water and Wastewater; \$250,000 included in CIP 434-237-0950 - Water and Wastewater.) Low bid of eight (8). 8.14% MBE, 2.84% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission.]
- ¶39-45 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.
46. Approve a construction contract award to INSITUFORM TEXARK INC., Dallas, Texas, for the rehabilitation of wastewater lines using the pipe-within-a-pipe process for lines located at Barton Springs Road and the Hyde Park area, in the amount of \$492,206. (Funding in the amount of \$256,374 included in the 1991-92 Water and Wastewater Utility operating budget; \$235,832 included in 1991-92 Water and

Wastewater Utility Capital Budget. Low bid of two (2). 0% MBE, 0.57% WBE Subcontractor participation. [Recommended by the Water and Wastewater Commission.]

Postpone two weeks.

47. Approve execution of a construction contract award to STANLEY MCLAUGHLIN TRACTOR WORKS, Austin, Texas, for the Emma Long Municipal Park Wastewater Treatment System Improvements Project, which will replace the present outdated wastewater disposal system, in the amount of \$46,516.41. (Funding in the amount of \$46,516.41 included in CIP 873-867-6004 - PARD). Low bid of five (5). 7.95% MBE, 7.52% WBE Subcontractor participation. [Recommended by Parks Board on June 23, 1992.]
48. Approve Change Order No. 1 to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED for removal of excessive vegetation and trash in the Boggy Creek and Tannehill and other watersheds, in the amount of \$50,000, for a total contract amount of \$506,000.86. (Funding included in the 1991-92 operating budget of the Drainage Utility Fund.)
49. Approve Change Order No. 2 to H.B. ZACHRY COMPANY, San Antonio, Texas, for construction of the Robert Mueller Municipal Airport Runway 13R/31L Rehabilitation, in the amount of \$316,288.90, for a total contract amount of \$3,070,932.95. (Funding included in CIP 881-817-5519. Federal Aviation Administration participation estimated to be \$237,216.67.)
50. Approve execution of an Amended and Restated Professional Services Agreement with AUSTIN DESIGN ASSOCIATES, INC., Austin, Texas, for design and consultant services through construction of a transfer station and recycling service center at 3810 Todd Lane, for an estimated maximum fee of \$179,000, for a total amount of \$326,800. (Funding included in CIP 825-607-2001 - Environmental and Conservation Services.)
51. Approve execution of a Construction and Maintenance Agreement between the City of Austin and the Texas Department of Transportation to construct and maintain a permanent sedimentation and filtration pond for a segment of U.S. 183, bounded by Loop 360 and Balcones Woods Drive, in the amount of \$114,598. (Funding included in CIP Project No. 825-607-2074 - Public Works.)
52. Set a public hearing on the appeal of Mr. Mark Clark of the Building Standards Board order to demolish the buildings located at 2511 Durwood Street, date and time: July 16, 1992 at 4:45 p.m.
53. Approve negotiation and execution of an agreement between the City of Austin, Capital Metro and the Austin Steam Train Association

(ASTA) to authorize ASTA to bring steam engine no. 786 and railroad cars downtown along City owned railroad tracks during the grand opening of the Convention Center from July 3, 1992 to July 5, 1992. (No fiscal impact.) [Recommended by Capital Metro Board of Directors on June 22, 1992.]

54. Set a public hearing on the appeal of Mr. Allen C. Clarke, H.T. Austin, Ltd., of the Building Standards Board order of March 25, 1992 against the property located at 1900 Burton Drive, also known as the Hilltop Apartments, date and time: July 23, 1992 at 5:00 p.m.
55. Set a public hearing to approve a 2.363 acre sanitary sewer and a 6.147 acre temporary workspace easement for the construction and maintenance of the South Austin Outfall Relief Main, Phase II, through dedicated parkland known as Zilker Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (To be reviewed by Parks and Recreation Board on June 23, 1992.) Date and time, August 27, 1992 at 4:30 p.m.

#47-55 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

3:00 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION

Recessed for Austin Housing Finance Corporation meeting from 4:16 to 4:32 P.M.

3:30 P.M. - ELECTRIC UTILITY (Items 56-68)

56. Electric Utility Commission Report.
Report was given by Marilyn Jones, Chairperson.
57. Resource Management Report.
Report was given by Glen Crow, Chairperson.
58. Monthly Management Report (Fiscal, Operations, Fuel)
Report was given Electric Utility Director, John Moore.
59. Monthly Utility Receivable Report.
Report was given by Betty Dunkerley
60. Approve execution of a contract with OMNI COMMUNICATION SYSTEMS, INC., Austin, Texas, for the purchase of forty-two (42) portable UHF and VHF two-way radios for use by Transmission and Distribution employees, in the amount of \$42,132. (Funding in the amount of \$37,420 included in the 1991-92 Capital Budget of the Electric

Utility Department; \$4,712 included in the 1991-92 Operating budget of the Electric Utility Department.) Low bid of four (4). The prime did not identify any subcontracting opportunities. Reference No. 920566-1CM.

61. Approve execution of a contract with MILLER BLUEPRINT COMPANY, Austin, Texas, for the purchase of six (6) electronic station surveying systems, in the amount of \$73,554.12 (Funding included in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920559-1CM.
62. Approve execution of a contract with INDUSTRIAL EQUIPMENT COMPANY, Houston, Texas, for the purchase of three (3) substation battery banks to be installed at Bee Creek, Austin Dam and Angus Valley substations, in the amount of \$38,677.50. (Funding included in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of three (3) meeting specifications. The prime did not identify any subcontracting opportunities.
63. Approve execution of a contract award with HAZCORP ENVIRONMENTAL, Austin, Texas, for the removal and disposal of oil contaminated soil at the Holly Street Power Plant, in an amount not to exceed \$64,560.50. (Funding included in the 1991-92 Operating Budget for the Electric Utility Department.) Low bid of seven (7) meeting specifications. 10% MBE, 5% WBE Subcontractor participation. Reference No. 920518-3CM.
64. Approve execution of a contract with DOWTY CONTROL TECHNOLOGIES C/O LEN T. DELONEY COMPANY, Austin, Texas, for the purchase of a watt-hour meter test system used to test the accuracy of commercial and residential watt hour meters, in the amount of \$37,370. (Funding included in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920550-1CM.
65. Approve the selection of ROY F. WESTON, INC., Austin, Texas, to provide professional engineering services for the remediation of hazardous materials (PCBs) from the Holly Street Power Plant Ventilation and Drainage Systems, in an amount not to exceed \$250,000. (Funding in the amount of \$50,000 is included in the 1991-92 Operating Budget of the Electric Utility Department; funding for the remaining \$200,000 of the original contract is contingent upon future available funds in the 1992-93 budget.) Best proposal of five (5). 10% MBE, 5% WBE Subcontractor participation.

#60-65 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

66. Approve execution of four (4) twelve (12) month supply agreements for optical power ground wire and accessories with the following vendors: TECHLINE, INC., Austin, Texas, in an amount not to exceed \$1,326,758.40; PRIESTER-MELL & NICHOLSON, INC., Austin, Texas, in an amount not to exceed \$131,118; WESTINGHOUSE ELECTRIC, San Antonio, Texas, in an amount not to exceed \$44,860; FIBER LINK SUPPLY, Lufkin, Texas, in an amount not to exceed \$51,309, for a total amount not to exceed \$1,554,045.40 with two (2) additional twelve (12) month extension options for each agreement in an amount not to exceed \$1,326,758.40, \$131,118, \$44,860, and \$51,309 respectively per extension, for a total amount not to exceed \$4,662,136.20. Low bids of nine (9). (Funding in the amount of \$476,338.40 included in the Electric Utility Operating Budget; the remaining \$1,077,707 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) The primes did not identify any subcontracting opportunities. Reference No. 920516-1CM.

This was approved in the consent motion, and then reconsidered on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote. Council unanimously agreed to bring this back in two weeks.

67. Approve execution of a contract with ENTEC CONSULTING, INC., Madison, Wisconsin, for the purchase of the Enpro III Hourly Chronological Planning Model, which will allow the Electric Utility to improve its ability to forecast and schedule its fuel requirements and power plant outages, in an amount not to exceed \$74,000. (Funding included in the 1991-92 Capital Budget of the Electric Utility.) Highest evaluated proposal of eight. The prime did not identify any subcontracting opportunities. Reference No. 920377-3VC.
68. Approve execution of a contract with HARTFORD STEAM BOILER RELIABILITY TECHNOLOGIES, Minneapolis, Minnesota, for a facilities maintenance management system for use by the Electric and Water and Wastewater Utilities in an amount not to exceed \$378,522. (Funding included in the 1991-92 Capital Budgets of the Electric and Water and Wastewater Utilities.) Highest evaluated proposal of eleven (11). The prime did not identify any subcontracting opportunities. Reference No. 920010-3AB/VC. [Recommended by Water/Wastewater Commission.]

#67-68 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

ITEMS FROM COUNCIL

69. Approve a Resolution directing the City Manager to work with the Urban Transportation Commission in developing recommendations on a pedestrian friendly zone in the vicinity of the Convention Center. (Councilmembers Michael "Max" Nofziger and Ronney Reynolds)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

70. Approve a Resolution authorizing negotiation and execution of an Interlocal Agreement with Capital Metro in an amount not to exceed \$50,000 to participate in the selection of a contractor and in the resulting contract for a study of the East 4th and 5th Streets, IH 35 to Pleasant Valley Rail Corridor. (Councilmembers Gus Garcia and Michael "Max" Nofziger) (related to item 71)

71. Amend Ordinance No. 910912-A, by transferring \$50,000 from the Economic Development/Leverage Loan Pool to the Planning Department to fund a study of the East 4th and 5th Streets, IH 35 to Pleasant Valley Rail Corridor. (Councilmembers Gus Garcia and Michael "Max" Nofziger) (related to item 70)

#70-71 On Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Reynolds out of the room.

72. Approve a Resolution expressing the Austin City Council's objections to the recording and distribution of the song "Cop Killer." (Councilmembers Louise Epstein and Bob Larson)

On Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds out of the room.

73. Direct the City Manager and the City Auditor to resolve the balance of outstanding audit issues for the period 1986-92; and to further direct them to report to Council on progress in this area every six (6) months until completion. (Councilmembers Gus Garcia and Bob Larson)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

91. An ordinance amending Ordinance No. 920610-A by amending Proposition 11 to restrict the land to be acquired and improved to that land identified in the Urban Natural Area Section of the National Park Service's Barton Creek Greenway Study of 1992. (Councilmembers Louise Epstein and Bob Larson)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

74. C14-92-0036 - COMMERCE SAVINGS ASSOCIATION, by JPI, 3032 Tamarron Boulevard. From LR to SF-6. Planning Commission Recommendation: To grant SF-6-CO, Townhouse and Condominium residence District-conditional Overlay, subject to the following conditions: (1) density limited to a total of 210 units (6 units per acre); (2) access to Doris Anne Boulevard/Capital Parkway is prohibited from this site; (3) a building setback of 100 feet or up to the top of the embankment, whichever is greater, parallel and measured from the rear of the lots abutting Apricot Drive; (4) if secondary access is required to Tamarron Boulevard by the Fire Department, it will be through the use of a crash gate.

Approved on FIRST READING ONLY, Planning Commission and staff recommendations, on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 4-3 Vote, Councilmembers Larson, Nofziger and Epstein voted No.

75. C14H-92-0001 - ALFRIDA JOHNSON HOME, by John F. and Suzanne C. Plyler, 1022 East 7th Street. From CS to CS-H. Planning Commission Recommendation: To grant CS-H.

FIRST AND SECOND READINGS

76. C14H-92-0003 - MAYFIELD-GUTSCH HOUSE, by City of Austin, 3505 West 35th Street. From P to P-H. Planning Commission Recommendation: To grant P-H.

ORDINANCE

#75 - 76 on Mayor Pro Tem Urdy's motion, Councilmember Epstein's second, 7-0 Vote.

The following case will be postponed to a future date. Posting of this case on this agenda is required due to a previous advertisement for a public hearing on this date.

77. C14H-92-0002 - ARMSTRONG-ODOM HOUSE, by City of Austin, 614 Blanco Street. From MF-4 to MF-4-H.

POSTPONED INDEFINITELY

6:00 P.M. - DINNER BREAK

The Council, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, recessed for dinner from 6:55 to 7:30 P.M. Councilmember Reynolds left the Council meeting at 7:30 P.M.

FINAL CITIZEN COMMUNICATION

Speakers were Robert Singleton and Al St. Louis

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

78. 5:00 P.M. - Amend Ordinance No. 910912-N by establishing a "Level One" commercial water quality facility operating permit fee and annual renewal fee of \$625 for the first water quality control, and \$75 for each additional water quality control, with a maximum fee of \$775, pursuant to City Code Section 13-7-11. (Required for multi-family and commercial developments subject to operating permit requirements of the Barton Creek and Barton Springs Zone Amendments to the Comprehensive Watersheds Ordinance.) [Recommended by Environmental Board and Planning Commission.] (related to item 23)

Motion

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, closed the public hearing. 5-0 Vote, Councilmembers Nofziger and Reynolds out of the room.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Larson's second, waived the requirement for three readings and finally passed the Ordinance. (5-0 Vote, Councilmembers Nofziger and Reynolds out of the room.)

79. 7:00 P.M. - Amend Title XIII (Land Development Code: Section 13-2-5, 13-2-221, 13-2-267, 13-2-731 and 13-5-107) Austin City Code of 1981 to allow indoor and outdoor recreational facilities used by the general public as a conditional use in residential districts and some commercial districts, a permitted use in the remaining commercial districts and a permitted use in all industrial districts. [Recommended by Planning Commission.]

Motion

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, closed the public hearing. 6-0 Vote, Councilmember Reynolds out of the room.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, approved, including: Prohibition of alcohol sales where the majority of participants are eighteen (18) years of age or younger; and outdoor athletic fields, e.g. football, baseball, soccer, and similar team sports shall not be located closer than 300' from property zoned "SF-5".

6-0 Vote, Councilmember Reynolds out of the room.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session was held the morning of this date in the Mayor's office, Special Called Meeting.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Land Acquisition, Section 2, Paragraph f

80. Discussion of land acquisition for U.S. 183, Section 2 Offsite Drainage Improvements, Angus Valley Channel Project.

Personnel Matters, Section 2, Paragraph g

81. Discussion of pay for Municipal Court Judges.

Pending Litigation, Section 2, Paragraph e

82. Discussion of City of Austin v. Everett Charles Price, Jr., Cause No. 3-91-511-CV.
83. Discussion of J.D. Hooper v. City of Austin and Iris Jones, Cause No. 91-11934.

84. Discussion of John Lee Gillespie, Lila Belle Gillespie, and Peggy Gillespie Shamp, Individually and as Independent Exectutrix of the Estate of John Michael Gillespie, Deceased, and as Next Friend of Jenny Gillespie and Jason Gillespie, Minors v. City of Austin, Austin Police Department, and Michael L. Carpenter, Cause No. 91-1421.
85. Discussion of Dana Reiner and Dale Cooper v. City of Austin, Texas, Iris Jones and Chester Thornton, Cause No. 92-07180.
86. Discussion of Homer L. Biggerstaff, Jack D. Irwin, Frankie Slade Hughes, Marvin R. Casey, Robert I. Worley and Alex Alexander v. City of Austin, Texas, Lee Cooke, ZR&R, Inc. and Sverdrup/Gilbane, Cause No. 92-08494.

ACTION ON THE FOLLOWING

87. Approve a Resolution authorizing real property acquisition for the U.S. 183 Section 2, Offsite Drainage Improvements, Angus Valley Channel Project. In the amount of \$42,500.00.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

88. Approve payment of attorney's fees and related outside counsel expenses incurred in the representation and defense of the City of Austin in J.D. Hooper v. City of Austin, et al.; Cause No. 91-11934. No action.

89. Approve a contract to retain Terry Davis as outside legal counsel for the City of Austin in John Lee Gillespie, et al. v. City of Austin, et al.; Cause No. 91-1421. No action.

90. APPOINTMENTS

MH/MR CENTER BOARD OF TRUSTEES - 1
No action. Postponed for two weeks.

ADJOURN - Council adjourned its meeting at 9:55 P.M. —